

EXHIBIT 1

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
SPRING VALLEY BRANCH, *et al.*,**

Plaintiffs,

v.

**EAST RAMAPO CENTRAL SCHOOL
DISTRICT, *et al.*,**

Defendants.

ECF CASE

Case No. 7:17-cv-08943

**DISTRICT JUDGE
CATHY SEIBEL**

**MAGISTRATE JUDGE
JUDITH C. MCCARTHY**

DECLARATION OF BERNARD CHARLES, JR.

Pursuant to 28 U.S.C. § 1746, Bernard Charles, Jr. declares under penalty of perjury as follows:

Background

1. I am an adult resident of Spring Valley, New York.
2. I have lived in Rockland County my entire life.
3. My parents moved to Rockland County in the 1950's. My father was one of the first black elected officials in the County and was one of the founding members of the NAACP of Spring Valley.
4. I attended the public schools of the East Ramapo Central School District (ERCSD) from elementary school through high school.
5. My children have all attended the ERCSD public schools.
6. In addition to my current position as a Board Member of the ERCSD Board of Education, I am also the deputy mayor of Spring Valley.

Obtaining My Position on the School Board

7. I have always been a strong believer in and supporter of public education. In early 2013, I learned that because of a resignation there was a vacancy of the ERCSD School Board. I was informed that the Board planned to appoint a replacement member for the remainder of the departing member's term. I was interested in filling that Board vacancy.
8. At that time, a majority of the seats on the Board were held by members of the Orthodox and Hasidic community. I had heard the sentiment expressed that the Orthodox and Hasidic members of the Board were neglecting the needs of the District's public schools. Those allegations concerned me. I wanted to join the Board to help represent the interests of public school parents and their children (including my children), and felt that I could work to advance the interests of public school students if I had a seat on the Board.
9. I expressed my interest in the vacant Board position, and was interviewed publicly by the Board at an open Board meeting. During my interview, I was asked whether I felt comfortable working with the majority membership of the Board, and whether I would be respectful of the interests of the private school community even as I worked to advance the interests of the public school community. I replied in the affirmative. I further explained that, if selected, I would do my best to work *with* the Board to achieve my goals. I also pledged that, if selected, I would work with the Board to make sure that *all* communities and interest groups in the District would be treated fairly.
10. The Board selected me to fill the vacant seat in early 2013.

The 2013 Election

11. In order to retain my Board seat for a full term, I had to run for election in the May 2013 school board election.
12. As part of my effort to win that election I was in touch with MaraLuz Corado and Pierre Germain -- two other people who share my approach to school board politics -- and got them to join my slate of candidates for the Board. The three of us agreed to campaign together.
13. Ms. Corado, Mr. Germain, and I ran on a platform that focused on the needs of public school students, but in the spirit of cooperation, understanding and sensitivity to the needs of others in the community, as well.
14. I introduced Ms. Corado and Mr. Germain to some of the leaders in the Orthodox and Hasidic community. In each of those meetings, the Jewish community leaders sought to make sure that Ms. Corado and Mr. Germain were committed to an effort to work with the Orthodox and Hasidic community and to treat them fairly. During the 2013 campaign, I went door-to-door in several of the District's neighborhoods and spoke with as many people as I could. Those efforts covered many different communities and interest groups. I felt warmly received in most of my campaign encounters, and my message of outreach and cooperation seemed to get a lot of support.
15. One of the people I spoke with during my 2013 campaign was Steven White. Mr. White is active in NAACP of Spring Valley, an organization that often actively opposes the Orthodox and Hasidic community's educational concerns and decisions, and has taken strong positions against the Board. My message to Mr. White was the same as my message to every other person with whom I spoke -- that I was a strong believer in and

advocate of public education, and that I wanted to work with the Board to improve education policy and awareness of what is important to the public school community and its children, and to make sure that education decisions in the District were of benefit for everyone. Mr. White indicated he would support my candidacy, but he ultimately endorsed my opponent.

16. My opponent in the 2013 election was Robert Forrest. Ms. Corado's opponent was Margaret Tuck. Mr. Germain's opponent was Eustache Clerveaux.
17. While Mr. Forrest, Ms. Tuck, and Mr. Clerveaux claimed to support the District's public schools, they did not appear to share our goals of communication, cooperation and engagement. They voiced strong opposition to the presence of Orthodox and Hasidic members on the Board, and pledged that if elected, they would oppose the then-current members of the Board.
18. Mr. Forrest, Ms. Tuck, and Mr. Clerveaux were endorsed by the NAACP of Spring Valley, an organization that, as noted above, has been openly hostile to the Orthodox and Hasidic members of the Board and to the interests they represent. NAACP of Spring Valley seems to take the view that school board politics is a zero sum game – and that one side has to win and the other has to lose. I disagree. I believe that both sides can win when they cooperate, and work together in good faith.
19. I won the 2013 election, as did Ms. Corado and Mr. Germain. Each of us received over 1,500 more votes than our opponents.
20. Once elected, I worked to fulfill my campaign promise to work with Orthodox and Hasidic members of the Board to improve the quality of the District's public education program. While I did not always agree with the Orthodox and Hasidic majority of the

Board, we engaged in respectful debate and looked for opportunities to reach agreement on sensitive policy issues. I am proud of what the Board has achieved during my tenure of service: Since I was elected, the Board has raised educational standards, hired a new superintendent, hired a new attorney, obtained funding for two new football fields, reinstated art, music and sports classes and programs, and secured millions of dollars from the state to address public school needs.

21. Some District residents resent me for working with the Orthodox and Hasidic members of the Board rather than fight with them over every issue. In the years I have served on the Board I have been harassed and insulted, with some people calling me things like “Uncle Tom” or “Jew Lover,” while others have accused me of being “bought by the Jews.” I find these racial slurs deeply disturbing, disrespectful and inappropriate, especially since my primary motive in running for the Board was to increase the diversity of the Board and to improve public education in the District.

The 2016 Election

22. I ran for re-election to the School Board in 2016. As in the 2013 election, I ran as a strong supporter of and advocate for the District’s public schools. When campaigning, I promised that, if re-elected, I would continue to work with the Orthodox and Hasidic members of the Board to improve the District for both public and private school students.
23. My opponent in the 2016 election was Kim Foskew. Ms. Foskew received the endorsement of the NAACP of Spring Valley and Power of Ten. She strongly opposed my approach of cooperation and accommodation, and pledged that, if elected, she would oppose the then-current members of the Board. I won the 2016 election, and received over 4,000 more votes than Ms. Foskew.

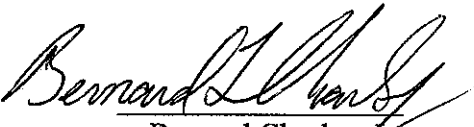
24. During both the 2013 and 2016 campaigns I was invited to participate in a candidate forum organized by the NAACP of Spring Valley. I decided not to attend the candidate forum either time because the NAACP of Spring Valley had endorsed my opponents and actively opposed my candidacy.
25. My decision not to attend the NAACP candidate forum was reinforced by my expectation that very few voters would actually attend the event, by the fact that NAACP of Spring Valley has opposed my candidacy, and my concern that the NAACP of Spring Valley has a long record of hostility towards the Orthodox and Hasidic members of the Board, with whom I have a very positive working relationship.
26. It is my strong view that the issues that divide the “public school community” from the “private school community” in ERCSD have nothing to do with race, and have everything to do with differing political and policy views about how best to allocate precious public dollars to support all students in the District. My efforts have focused on trying to bridge the gap between these competing views, and I believe that we have made substantial progress over the past several years. I am proud of my service on the School Board, and even though challenges remain, I am very proud of what we have been able to achieve.
27. I am concerned about the ward system of voting that Plaintiffs in this case are seeking to impose on the District. Since there are currently no racial barriers or racial tensions that interfere with white voters voting for black and Latino candidates, and blacks and Latinos voting for white candidates, the at large system enables people like me (of color) to get elected District-wide, and encourages us to attract support from all elements of the

community, be they white, black or Latino. Ward voting, on the other hand, and the effort to have candidates run in white or black wards encourages just the opposite result, and will encourage voting on purely racial lines in a much narrower geographic area, thereby removing any chance of real representation. That's the last thing our District needs.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Spring Valley, New York

February 13, 2018.


Bernard Charles, Jr.